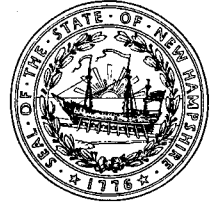


State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2005-010**

May 12, 2005

K & R Trust
John & Kristin Bellinger, Trustees
5 Manchester Drive
Lebanon, NH 03766

RE: DES Wetlands File #2004-01454 Route 4A, Lebanon

Dear Mr. and Ms. Bellinger:

On April 20, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Lebanon Tax Map 84 as Lot 47 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. Approximately 3,200 square feet of wetland had been filled adjacent to the vegetated driveway off of Route 4A during landscaping activities on the Property.

In response, you are requested to take the following actions:

1. By June 30, 2005, submit a restoration plan to DES for review and approval. Have the restoration plan prepared by a qualified environmental consultant, and include provisions for restoring the wetland.

Submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing:
 - i. Existing conditions, with wetland boundaries; and
 - ii Proposed conditions after re-establishing jurisdictional areas;
 - b. A detailed description of the proposed means of erosion controls (silt fence, hay bales, etc.) and stabilization of the restoration area;
 - c. A detailed description of the proposed planting plan for the stabilization and re-vegetation of the restoration area; and
 - d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration date.
2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Linda Magoon at (603) 271-4056 or by e-mail at lmagoon@des.state.nh.us.

Sincerely,

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 0750 00012491 9045

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Lebanon Conservation Commission
Lebanon Board of Selectmen
USACOE